IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE K.C. BHANU

-

WRIT PETITION NO : 5457 of 2005

Between:

Talari John Babu, s/o Samuel,
r/o Indukuru (V), Devipatnam Mandal, E.G.District.

..... PETITIONER

AND

1 Addl.Agent to the Government, Rampachodavaram, E.G.District.
2 The Spl.Deputy Collector, Tribal Welfare, Rampachodavaram,

East Godavary District.
3 The Mandal Revenue Officer, Devipatnam, E.G.District.
4 Yelagada Nageswara Rao, s/o Ayyanna,
r/o Indukuru (V), Devipatnam Mandal, E.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ or order or direction more particularly one in the nature of writ of mandamus declaring the order in C.M.A.No.27/2004, dt.5-9-2004 communicated to me on 16-2-2005 on the file of the 1st respondent herein as illegal, arbitrary and unjust and consequently direct the respondents not to evict from my land an extent of 0.50 Hects. situated in Sy.No.265/1 of Indukuru Village, Devipatnam Mandal, EG District in the interest of justice and to pass such other order or order as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner: MR.K.VENKATESH

Counsel for the Respondent Nos.1 to 3: GP FOR SOCIAL WELFARE

Counsel for the Respondent No.4: None appeared.

The Court made the following :

ORDER:

Challenging the order passed by the 1st respondent in C.M.A.No.27 of 2004 dated 5-9-2004, the present writ petition is filed.

The order of the Primary Authority has been reversed by the 1st respondent. Admittedly, against that order, a revision lies to the Government.

Therefore, without going into the merits of the case, the writ petition is disposed of directing the petitioner to file a revision before the Government within a period of four weeks from today. Till such time, *status quo* obtaining as on today shall be maintained. No costs.

17-03-2005

rkk

Copy to:

1 Addl.Agent to the Government, Rampachodavaram, E.G.District.
2 The Spl.Deputy Collector, Tribal Welfare, Rampachodavaram,

East Godavary District.
3 The Mandal Revenue Officer, Devipatnam, E.G.District.
4. Two CCS to the G.P. for Social Welfare,

High Court Buildings, High Court of A.P.,

Hyderabad.

5. Two CD copies.